



ATTORNEY DOCKET NO.: 2004367-0031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Winterbottom, et al. Examiner: To be assigned
Serial No.: 10/735,135 Art Unit: 1644
Filing Date: December 12, 2003
Title: FORMABLE AND SETTABLE POLYMER BONE COMPOSITE
AND METHOD OF PRODUCTION THEREOF

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Sir:

APPOINTMENT OF ATTORNEY

On behalf of Osteotech, Inc., the undersigned hereby appoints Choate, Hall & Stewart, Customer No. 24280 as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Valarie B. Rosen, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,

Name:

Title:

EUP/C80

Date:

7/8/04

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Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION (37 CFR 3.73(b))

The assignee of the entire right, title and interest, **Osteotech, Inc.** hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

___ documents already recorded in the PTO on _____.

Reel ___ Frame _____; and

Reel ___ Frame _____

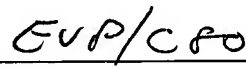
X documents separately submitted for recordal to the PTO (a copy of these documents is attached).

STATEMENT

I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignee who seeks to take further action.


Signature


Name


Title


Date

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ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, John Winterbottom, and David Kaes, hereby

Sell, assign and transfer to Osteotech, Inc., a New Jersey corporation, having a place of business at 51 James Way, Eatontown, NJ 07724, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed December 12, 2003 and entitled "Formable and Settable Polymer Bone Composite and Method of Production Thereof," application serial no. 10/735,135 (attorney docket no. 2004367-0031) and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

Dated: 6/11/04

Dated: 6/11/04

Dated: 6/11/04


John Winterbottom


Witnessed by:


Witnessed by:

Dated: _____

David Kaes

Dated: _____

Witnessed by:

Dated: _____

Witnessed by:

John Winterbottom

Witnessed by:

Witnessed by:

David Kaes

Witnessed by:

Witnessed by: